



MONTGOMERY McCRACKEN

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August 11, 2021

Hon. George B. Daniels
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *In re M/V MSC FLAMINIA* – Master File: SDNY No. 12 Civ. 8892 (GBD)(SLC)

Dear Judge Daniels,

We are the attorneys representing the plaintiffs Conti 11. Container Schiffahrts-GMBH & Co. KG MSC "FLAMINIA" ("Conti") and NSB Niederelbe Schiffahrtsgesellschaft MBH & Co. KG ("NSB"), the owner and operator of the M/V MSC FLAMINIA, respectively in the above referenced action. This joint letter is respectfully submitted on behalf of all the parties to provide Your Honor with the current status of this action and to propose an adjournment of the upcoming status conference.

On June 1, 2021, the Sixth Amended Civil Case Management Plan and Scheduling Order issued and the June 8th status conference was adjourned to August 17th. Subsequently, the parties have continued to cooperatively abide by the latest Civil Case Management Plan. Responsive documents and privilege logs have been and continue to be produced.

While there are a few current discovery issues between the parties (including whether plaintiffs are required to produce unredacted legal invoices for which they are seeking damages and whether certain documents have been properly withheld on the grounds of privilege), these issues, if not resolved between the parties, can be raised at one time after plaintiffs have finally completed their production. Also, depending on when plaintiffs complete their production, a further brief deadline extension may be required to allow defendants time to review/follow up on what may be produced. Again, for now, the parties continue to work through discovery issues as they arise and will continue to do so as plaintiffs produce additional documents and privilege logs.

Accordingly, we respectfully request that the upcoming status conference be adjourned at this time.

MONTGOMERY McCRACKEN WALKER & RHOADS LLP

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If there are any questions, please do not hesitate to contact us. Otherwise, we thank you in advance for your consideration.

Respectfully submitted,

MONTGOMERY MCCRACKEN
WALKER & RHOADS, LLP

/s/ Timothy Semenoro

Eugene J. O'Connor
Timothy Semenoro

CC by ECF to all counsel of record